

## REMARKS

The above amendments and these remarks are responsive to the Office action dated January 12, 2005. Prior to this response, claims 1-48 remained pending in this application, with claims 1-33 being withdrawn from consideration. In the Office action: 1) claims 44-48 are allowed; 2) claims 34 and 39 are rejected under 35 USC 112 as being indefinite, 3) claims 34-38 are rejected under 35 USC 103(a) as being unpatentable over Kuzma (US 5,574,700) in view of Manning (US 5,519,790) and Drake et al. (US 5,550,966), 4) claims 39 and 41-43 are rejected under 35 USC 103(a) as being unpatentable over Kuzma in view of Manning, 5) claim 40 is rejected under 35 USC 103(a) as being unpatentable over Kuzma, Manning, and Lippman et al. (US 4,673,981), and 6) the drawings and the specification are objected to because of formalities relating to claims 34 and 39.

As an initial matter, applicant thanks the Examiner for allowing claims 44-48. applicant agrees with the Examiner's conclusions regarding patentability of the allowed claims, without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, applicant believes that the application is allowable because the prior art fails to teach, anticipate or render obvious the invention as claimed, independent of how the invention is paraphrased.

Applicant respectfully traverses the rejections of claims 34-43. However, in order to place this application in condition for immediate allowance, without further argument, claims 34-43 are cancelled without prejudice. Applicant expressly reserves the right to prosecute claims 34-43, as well as claims 1-33, in continuing applications.

**Conclusion**

Applicant believes that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicant respectfully requests that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

**CERTIFICATE OF MAILING**

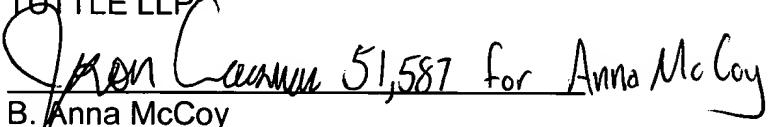
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on May 10, 2005.



Josi Bridges

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL &  
TUTTLE LLP

  
\_\_\_\_\_  
B. Anna McCoy  
Registration No. 46,077  
Customer No. 50488  
Attorney for Applicant  
806 S.W. Broadway, Suite 600  
Portland, Oregon 97205  
Telephone: (503) 459-4141  
Facsimile: (503) 459-4142